

Submitted by  
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MICHIGAN'S SUCCESSFUL NO-FAULT LAW  
The Proper Balance is the Key

- Michigan's no-fault law was designed to eliminate the uncertainties of having to sue the at-fault driver by promising individuals injured in auto accidents that their medical bills would be paid regardless of whether they were at fault in the accident.
- To maintain reasonable premiums, these unlimited medical benefits must be balanced with a strong limitation on the ability to sue for pain and suffering.
- The ability to sue for pain and suffering is strictly limited to situations where the person has suffered:
  - Death
  - Permanent serious disfigurement
  - Serious impairment of body function
- **House Bill 4680 would open the floodgates to litigation.**
  - The bill creates a threshold that is significantly more relaxed than the one enacted in 1973.
  - A serious impairment would no longer have to be *serious* or even be an *impairment*.
  - The new threshold in the bill would control all *pending* cases, as well as any filed after the legislation is enacted.
- Proponents of change to Michigan's no-fault tort threshold have advocated legislation under the guise of the allegation that the *Kreiner* decision "went too far." However, legislation introduced to address this supposed issue, including House Bill 4680, goes significantly beyond that goal and eviscerates our successful threshold.
- The *Kreiner* decision did not go too far...it simply applied the law to the facts and upheld the strong balance that has supported our successful no-fault system for over 35 years. But even if it did go too far, there's a new Court now – let the Court address the decision.
- This bill flies in the face of efforts to take costs out of the no-fault system in order to keep premiums at a reasonable level.
- **Unlimited lawsuits + Unlimited medical = Unlimited premiums**  
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